

the Constitution, unless Congress acts, states and municipalities are powerless to stop trash from being brought into their jurisdictions—powerless to protect their citizens' safety, the environment and their quality of life. So our states and municipalities rely on us to pass this protective legislation, and we let them down—again. The Senate has expressed its will on this issue over and over again—A majority of Senators support this legislation. We passed it by an overwhelming vote of 94-6. But the House has not acted. There are a few people over there who oppose it who have managed to displace the will of what appears to be a clear majority of House Members.

What will it take? The problem is getting worse. Total interstate waste shipments continue to rise and there is a finite amount of landfill capacity available. Michigan, my State, imports over 12 percent of all of the solid waste it disposes of in landfills. Michigan counties and townships have plans for waste disposal. They have invested in it. They have made significant commitments to waste reduction and recycling. They have spent a lot of money on these investments to dispose of their waste locally. Those plans and those good faith investments are totally undermined when contracts to bring in waste from other states and countries are entered into without consideration by State, county, or local governments of the impact of those contracts for importing waste into those areas. When you import waste in that way, without consideration of plans, and without consideration of the efforts that local governments have made to dispose of their own waste, it totally disrupts those efforts and those expenditures. It is not right. States and local governments have a right to do that planning and to make those investments in order to dispose of their own waste and, should they see fit, not to see their own plans displaced by the import of waste from other places.

I want to commend all the Senators who have been involved in this effort for so many years. Our previous vote of 96 to 4 shows that this truly is a bipartisan effort and it will continue to be.

Our States are counting on us to give them the authority to protect their citizens and the environment. I can assure you that, when Congress returns in January, I will be ready to fight this battle again until we pass legislation to prevent our states from being dumping grounds.

#### RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSONS ACT OF 2000

Mr. DEWINE. Mr. President, just before the August recess, the Senate passed the Religious Land Use and Institutionalized Persons Act of 2000, S. 2869. I had some serious concerns about

this bill as originally introduced. As my colleagues know, the distinguished chairman of the Senate Judiciary Committee, Senator HATCH and my distinguished colleague from Massachusetts, Senator KENNEDY, came up with a bipartisan compromise that addressed many of the concerns I had about the initial bill. Specifically, I was concerned that the bill would have unintentionally impeded the ability of states and localities to protect the health and safety of children in a variety of ways. I am relieved that the new Senate version has a much more limited scope. Because the bill that was passed applies only to zoning decisions, landmark designations and institutionalized persons, it will not have any impact on child welfare systems, including the ability of states and localities to protect the health and safety of children. I see the distinguished Senator from Massachusetts on the floor and I would ask my colleague, as one of the authors of this new legislation, if my understanding of this legislation correct?

Mr. KENNEDY. The Senator from Ohio is correct.

Mr. DEWINE. Since the definition of "land use regulation" is limited to "a zoning or landmarking law, or the application of such a law," am I also correct in understanding that this legislation will not affect the ability of states and localities to enforce fire codes, building codes, and other measures to protect the health and safety of people using the land or buildings, such as children in childcare centers, schools, or camps run by religious organizations?

Mr. KENNEDY. Yes, the Senator from Ohio is correct.

Mr. DEWINE. Am I also correct that the legislation will not affect civil rights laws that protect young people?

Mr. KENNEDY. The Senator is correct.

Mr. DEWINE. I thank my friend and colleague from Massachusetts for clarifying these points, and for working to pass legislation that does not compromise the health and safety of children and their families.

#### RECORD THIRD QUARTER NET PROFITS FOR BIG OIL

Mr. LEAHY. Mr. President, I come to the floor once again to announce that Big Oil is beginning to release its third quarter profit reports and while the news is great for investors, it's not so great for American consumers. As American families have been paying sky-high prices at the gas pump and are bracing for record-high home heating costs this winter, the oil industry has been savoring phenomenal profits. Something is wrong when working families are struggling to pay for basic transportation and home heat while Big Oil rakes in obscene amounts of cash by the barrel.

The overall net income for major petroleum companies more than doubled in the third quarter of 2000 relative to the third quarter of 1999. Let me illustrate the phenomenal profits of the oil industry for the past year when gasoline prices soared and heating oil stocks fell.

In the third quarter of 2000, Chevron Corporation reported net profits of \$1.53 billion, Exxon Mobil Corporation reported net profits of \$4.29 billion, and Texaco reported net profits of \$798 million. Compared to the third quarter of 1999, the profits in the third quarter of 2000 increased 163 percent for Chevron, 96 percent for Exxon Mobil, and 106 percent for Texaco. I ask unanimous consent that a chart of these statistics be printed in the RECORD.

Not surprisingly, these multi-million and even multi-billion dollar profits are making record profits. Exxon Mobil executive Peter Townsend is quoted as saying: "We've got a lot of cash around here. It's coming in pretty fast, flying through the door." And according to Fadel Gheit, an analyst with Fahnestock & Company: "The fourth quarter could beat the third."

There is no doubt that Big Oil reaped record profits while American consumers and small business owners dug deeper into their pockets to pay for soaring gasoline prices. And more record profits for Big Oil at the expense of consumers and small business owners are expected this winter when heating costs go through the roof. Mr. President, that is outrageous.

Even more disturbing are the recent press reports that the major oil companies are not using their record profits to boost production and lower future prices, but are instead cutting back on exploration and production. Listen to this from a report in the Wall Street Journal: "Exploration and production expenditures at the so-called super majors—Exxon Mobil Corp., BP Amoco PLC, and Royal Dutch/Shell Group—fell 20 percent to \$6.91 billion in the first six months of the year from a year earlier. . . ."

The investment firm UBS Warburg in London estimated this month that the surplus cash of the top 10 global energy companies will total \$40 billion this year and grow to \$130 billion by the end of 2004. The companies, Warburg predicts, will use about two-thirds of the surplus to repurchase stock to bolster market price, and one-third to reduce debt. Indeed, last week Texaco and Chevron agreed to merge with Chevron paying \$35.1 billion to acquire Texaco.

Well I for one have had enough of Big Oil making record profits at the expense of the working families and the small business owners who pay the oil bills, live by the rules and struggle mightily when fuel and heating costs skyrocket.

On September 27, 2000, I introduced S. 3118, the Windfall Oil Profits For Heating Assistance Act of 2000. My legislation imposes a windfall profits assessment on the oil industry to fund heating help for consumers and small business owners across America.

In true arrogance to the needs of Americans struggling to heat their homes, John Felmy of the American Petroleum Institute has publicly stated: "The profits aren't owned by consumers, they're owned by the shareholders. The companies have to do what's appropriate for owners of the enterprise."

The oil industry is made up of corporations formed under the laws of the United States. These oil industry corporations have a responsibility to the public good as well as their shareholders. To reap record windfall profits and then cut back on exploration and production to further increase future profits is poor corporate citizenship and an abuse of the public trust by these oil industry corporations and their executives.

In response to the energy crisis of the 1980s, Congress enacted the Crude Oil Windfall Profit Tax Act of 1980. This windfall profits tax, which was repealed in 1988, funded low-income fuel assistance and energy and transportation programs.

Similar to the early 1980s, American families again face an energy crisis of high prices and record oil company profits. This past June, gasoline prices hit all-time highs across the United States, with a national average of \$1.68 a gallon, according to the Energy Information Administration. This winter, the Department of Energy estimates that heating oil inventories are 36 percent lower than last year with heating oil inventories in New England estimated to be 65 percent lower than last year. In my home state of Vermont, energy officials estimate heating oil costs will jump to \$1.31 per gallon, up from \$1.19 last winter and 80 cents in 1998.

Given the oil industry's record windfall profits in the face of this energy crisis, it is time for Congress to act and again limit the windfall profits of Big Oil. My bill would do just that and dedicate the revenue generated from this windfall profits adjustment to help working families and small business owners with their heating oil costs this winter.

Specifically, the Windfall Oil Profits For Heating Assistance Act of 2000 would impose a 100 percent assessment on windfall profits from the sale of crude oil. My legislation builds on the current investigation by the Federal Trade Commission into the pricing and profits of the oil industry. The bill requires the Federal Trade Commission to expand this investigation to determine if the oil industry is reaping windfall profits.

The revenue collected from windfall oil industry profits, under my legislation, would be dedicated to two separate accounts in the Treasury for the following: 75 percent of the revenues to fund heating assistance programs for consumers such as the Low Income Home Energy Assistance Program (LIHEAP), weatherization and other energy efficiency programs; and 25 percent of the revenues to fund heating assistance programs for small business owners.

American consumers and small business owners continue to pay sky-high gasoline prices and home heating oil costs are expected to hit an all-time high this winter while U.S. oil corporations reap more record profits. It is time for Congress to restore some basic fairness to the marketplace. It is time for Congress to transfer the windfall profits from Big Oil to fund heating oil assistance for working families.

I urge my colleagues to support the Windfall Oil Profits For Heating Assistance Act of 2000.

Mr. President, I ask that the chart to which I referred, be printed in the RECORD.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

#### RECORD PROFITS FOR BIG OIL—THIRD QUARTER PROFITS

Company	3rd quarter		change (in per- cent)
	1999	2000	
Chevron .....	\$582 million .....	\$1.52 billion .....	163
Exxon Mobil .....	2.19 billion .....	4.29 billion .....	96
Texaco .....	387 million .....	798 million .....	106

#### RETIREMENT OF TINKER ST. CLAIR

Mr. KENNEDY. Mr. President, it is a privilege to take this opportunity to pay tribute to Tinker St. Clair, who is retiring at the end of this year after 21 years of outstanding service to the Senate as doorkeeper.

Tinker goes back many many years with the Kennedy family. In a sense, I inherited Tinker from my brothers. At the time of the 1960 Presidential campaign, Tinker was active in Democratic Party politics in McDowell County in the heart of coal country in West Virginia. Tinker supported Jack in the key West Virginia Presidential Primary that year, and he campaigned effectively for my brother throughout southern West Virginia. Jack won a dramatic victory in that primary, and it put him solidly on the road to the White House. So it's fair to say that the New Frontier was born right there in West Virginia, and Tinker St. Clair was very much a part of that victory.

Tinker was also there for my brother Robert Kennedy in his Presidential campaign in 1968.

For the past 21 years in the Senate, Tinker has been a great friend of mine as well, and a great friend of many

other Senators on both sides of the aisle.

Day in and day out on the Senate floor, Tinker's welcoming smile and wonderful personality have warmed our hearts and minds. He is often here with us, sitting in the back of the Chamber, listening intently to our debates, offering an encouraging word when we arrive and when we finish speaking, reminiscing about past days in the Senate and past campaigns in West Virginia, telling us with pride about his children, his grandchildren, and in recent years, his great-grandchildren.

When Tinker leaves us this year, he will leave a place in our hearts that will be impossible to fill. But as he said the other day, he feels it is time, as the West Virginia mountaineer he's always been, to sit on the porch and enjoy his family.

As this session of Congress comes to an end, I express my warmest wishes to Tinker for a long and happy and healthy retirement. He has surely earned it. He has served West Virginia well, he has served the Senate well, and he has served the Nation well, and we will miss him very very much.

#### PRESIDENT KIM DAE JUNG AND THE NOBEL PEACE PRIZE

Mr. BINGAMAN. Mr. President, I rise today to congratulate the President of South Korea, Kim Dae Jung, for winning the Nobel Peace Prize. This is a man who truly deserves this honor, as there are few men in the world today who have worked so tirelessly for democracy and peace in East Asia. Like so many of the outstanding men of our time, President Kim's life reads something like a novel, from his early childhood as a farmer's son on a small Korean island, to his criticism of the Japanese colonial rule, to his constant fight against dictatorship in South Korea, to his relentless pursuit of a constructive engagement policy with North Korea. No part of his path to the present has been easy, and, he came perilously close to losing his life on several occasions. The stories that are told about his near death experiences at the hands of the military regime in South Korea, and the intervention by the United States to save his life, are legendary in his country. He has been accused of nearly every possible political crime, from subversion to treason. But he has persisted and has succeeded, this in spite of the formidable odds against him. Significantly, South Korea has achieved its status as one of the world's most stable democratic countries because of his efforts, and it is appropriate he should be recognized by the Norwegian Nobel Committee for the impact he has made over the years.

As my colleagues know, Secretary of State Madeleine Albright arrived in North Korea earlier this week, her stated goal being to improve relations